"A Historic Past"

"A Bright Future"

CITY OF DELAWARE CITY
407 Clinton Street - P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

April 7, 2016

Dear Resident,

As many of you know the City was forced to postpone the municipal election scheduled for April 5, 2016. This letter is intended to present the facts surrounding this cancellation and the actual circumstances that were the basis of that decision. Other important information is included as well.

Chronology of Events

- In January of 2016 the City posted "voter qualifications" for the upcoming municipal election and submitted a copy of the posting to the State Department of Elections.

- On or about April 1, 2016 I requested that our City Solicitor put together a written document that could be used to brief our poll workers that addressed the following potential situations;

  1. What are the residency requirements?
  2. What forms of proof must one show to prove they are a resident?
  3. What election official has the authority to rule on a challenge of a voter's qualifications?

  The motive for making this request was twofold; one is the fact we have not held an election since 2013 and poll workers should have some written guidance if these situations were to come up; and in the 2013 election these issues were a point of contention for some voters, therefore, I felt it was important that the poll workers were aware of the authorities and the proper considerations to address the issues.

- On April 4, 2016 the City Solicitor's Office responded with a memorandum addressing the three areas mentioned above. This response included the following voter qualifications for municipal election as they appear in the City Charter:

  1. The voter must be 18 years of age;
  2. The voter must be a citizen of the United States;
  3. **The voter must be registered to vote under the State registration system maintained by the Department of Elections;**

4. The voter must maintain his or her permanent place of residence in the City of Delaware City.

Any person, who can prove the forgoing by proper identification, as required by Delaware Code, shall be entitled to vote at all regular and special municipal elections and referenda.

- When the memorandum was received from our Solicitor one of our administrative personnel realized that the voter qualifications posted in January of 2016 were the qualifications from the old charter. **(Substantial changes to the City Charter were made in 2013 and one of those changes included a new voter qualification as highlighted in number 3 above.)**

- When I was informed of this error I immediately contacted our Solicitor, who in turn contacted the State Department of Elections. After consulting with the Department of Elections the Solicitor made the strong recommendation to postpone the election. The Department of Elections has since publicly acknowledged that the City made the right decision.

New Election Date

The City has established May 5, 2016 as the new municipal Election Day. This is also the date of the Annexation Referendum. Residents will have an opportunity to vote for three Council Members, as well as, the Annexation at the same time. We have included a sample of what the ballot will look like on May 5th.

Fort DuPont and the New Fifth Street Bridge Public Meeting

On April 11, 2016, 6:30 PM at the Community Center, the City is sponsoring a public meeting that will update residents on the progress on the redevelopment and preservation of Fort DuPont and a briefing on the new Fifth Street Bridge. Jeff Randal, Executive Director of the Fort DuPont Redevelopment and Preservation Corporation will give a presentation of the Master Plan of the fort and update residents on the progress of this project to date. Tim Kelly from the U.S. Army Corp of Engineers will brief us on the replacement of the Fifth Street Bridge including timetables for the closure of the bridge during construction. Residents will have an opportunity to ask questions, including questions on the Annexation.

Sincerely,

Richard C. Cathcart
City Manager

SPECIAL INSTRUCTIONS

1. There is one (1) office and one (1) question on this ballot.
2. Make *ALL* of your selections BEFORE pushing the green VOTE button located below the lower right corner of the ballot.
3. Press the "X" to the right of your choice to select it. Once you press the "X", you will see a red light at the upper left corner of that "X". This indicates your choice.
4. If you want to change your choice, press the "X" again and the light will go out. Then, press the "X" to the right of your choice to make a new selection.
5. Make sure that a red light is lit at the upper left corner of the "X" for *ALL* of your choices BEFORE pushing the green VOTE button to cast your ballot.

CANDIDATES FOR COUNCIL TWO YEAR TERMS VOTE FOR THREE (3)	Write_In
PAUL D. (BUD) **FITZWATER, III**	☒
NATALIE **GREENE**	☒
CATHERINE (CATHY) **JOHNSON**	☒
ELIZABETH (BETH) **KONKUS**	☒
MARGARET (MEGAN) **TITUS**	☒

	VOTE FOR ONE (1)	
Council asks the residents of Delaware City to vote on the subject of Annexation of Fort DuPont Complex (consisting of New Castle County Parcel Nos. 12-023.00-021, 12-030.00-001 and 12-030.00-002) into the City of Delaware City.	**FOR ANNEXATION**	☒
	AGAINST ANNEXATION	☒

AFTER MAKING *ALL* OF YOUR SELECTIONS, CAST YOUR BALLOT BY PUSHING THE GREEN "VOTE" BUTTON LOCATED BELOW THIS NOTICE.